

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ELECTRICAL WORKERS PENSION
FUND, LOCAL 103, I.B.E.W., et al.,

Plaintiffs,

v.

HP INC., et al.,

Defendants.

Case No. [20-cv-01260-SI](#)

**ORDER DENYING STIPULATION
AND SETTING PAGE LIMITS AND
BRIEFING SCHEDULE FOR
DEFENDANTS' SECOND MOTION TO
DISMISS**

Re: Dkt. No. 90

On May 3, 2021, plaintiffs filed a second amended complaint ("SAC"). Dkt. No. 89. On May 11, 2021, the parties filed a stipulation requesting the following page limits and scheduling for defendant's motion to dismiss the SAC:

- Defendants' motion to dismiss: 50 pages for multiple memoranda or 45 pages for consolidated memorandum no later than June 11, 2021
- Plaintiffs' opposition: 50 pages for multiple memoranda or 45 pages for consolidated memorandum no later than July 23, 2021
- Defendants' reply: 25 pages no later than August 13, 2021

After considering the parties' arguments, the Court hereby **DENIES** the parties' stipulation. On March 19, 2021, the Court granted defendants' motion to dismiss plaintiffs' first amended complaint ("FAC"). Dkt. No. 83. In the order, the Court specified its concerns regarding the FAC's pleading of falsity and scienter. The Court encourages the parties to address the Court's concerns and finds briefing on defendants' second motion to dismiss will improve with brevity.

Accordingly, the parties will follow the following page limits and briefing schedule for defendants' second motion to dismiss:

- Defendants' motion to dismiss: 40 pages for multiple memoranda or 35 pages for consolidated memorandum no later than **June 4, 2021**
- Plaintiffs' opposition: 40 pages for multiple memoranda or 35 pages for consolidated memorandum no later than **June 25, 2021**
- Defendants' reply: 20 pages no later than **July 9, 2021**

A hearing on defendants' second motion to dismiss will be on **July 30, 2021** at 10 am.

IT IS SO ORDERED.

Dated: May 13, 2021



SUSAN ILLSTON
United States District Judge